



# City of Norfolk

Office of the City Manager

C: Dir., City Planning

July 11, 2006

To the Honorable Council  
City of Norfolk, Virginia

Re: Special Exception – 150 Granby Street

Ladies and Gentlemen:

I. **Recommended Action:** Approve the ordinance.

II. **Overview**

The agenda item is a special exception for a commercial drive-through. The site is currently being developed with a 20 story retail and office building incorporating first floor lobby area and retail, seven floors of parking, and 12 floors of office space. The office component of the building will house the headquarters of Trader Publishing Company.

A financial institution will also be located on the first floor adjacent to the alley extending from Plume Street north to City Hall Avenue. The applicant is proposing to utilize the alley for a commercial drive-through for the financial institution. Included as part of this transmittal letter are conditions prescribed to the granting of the special exception.

III. **Analysis**

A. **General**

Patrons would enter the drive-through from Plume Street and exit onto City Hall Avenue and make a right turn only. The drive-through will contain one-(1) window and the proposed hours of operation for the drive-through are from 8:00 a.m. to 6:00 p.m., seven days a week. The bank will be closed on Saturday and Sunday. The site is located in the D-2 (Downtown Regional Center) District and Drive-throughs are permitted by special exception.

The City Council, in considering these conditions, must also determine that the proposed Special Exception complies with each of the requirements of Section 25-7 of the Zoning Ordinance of the City of Norfolk. The requirements address compatibility with the objectives and policies of The General Plan of Norfolk, assurance against a negative

impact on the value of other properties within the neighborhood, traffic congestion, impact on natural resources (water and air quality) and other conditions as noted in the attached ordinance.

It should be noted that violation of any provision or condition of this ordinance shall be punishable in accordance with the enforcement procedures set forth in Chapter 23 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) and shall constitute grounds for revocation of this Special Exception.

B. Fiscal  
N/A.

C. Environmental  
N/A.

D. Community Outreach/Notification  
City Planning Commission held a public hearing on the matter and notices were sent for appropriate public hearings.

#### IV. Board/Commission Action

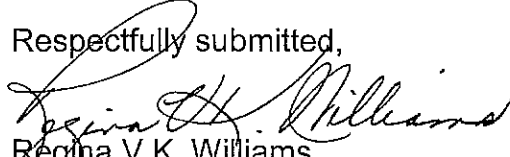
**By a 7 to 0 vote**, the City Planning Commission recommends **approval** of the application of Heritage Bank and Trust. Conditions recommended by the Planning Commission as a part of the special exception for a commercial drive-through Heritage Bank and Trust are as follows:

1. There shall be no more than one (1) drive-through lane permitted on the property.
2. The hours of operation for the drive-through lane shall be from 8:00 a.m. to 6:00 p.m. Monday through Saturday and closed on Sunday.
3. The site shall be developed in conformity with the site plan set forth in "Exhibit A" attached hereto. The attached site plan may, at the request of the Department of Planning, be required to be revised during the site plan approval process so as to comply with applicable regulations.

**V. Conclusion**

It is recommended that the City Council approve the ordinance as presented including conditions.

Respectfully submitted,



Regina V.K. Williams  
City Manager

**Coordination/Outreach**

This letter has been coordinated with City Planning.

Form and Correctness Approved:

Contents Approved:

By

Office of the City Attorney

NORFOLK, VIRGINIA

By

DEPT.

**ORDINANCE No.**

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A COMMERCIAL DRIVE-THROUGH FACILITY ON PROPERTY LOCATED AT 150 GRANBY STREET.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted authorizing the operation of a commercial drive-through facility on property located at 150 Granby Street. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 110 feet, more or less, along the southern line of City Hall Avenue and 111 feet, more or less, along the eastern line of Granby Street; property also fronts 113 feet along the northern line of Plume Street; premises numbered 150 Granby Street.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) There shall be no more than one (1) drive-through lane permitted on the property.
- (b) The hours of operation for the drive-through shall be from 8:00 a.m. until 6:00 p.m. Monday through Saturday and closed on Sunday.
- (c) The site shall be developed in conformity with the site plan set forth in "Exhibit A," attached hereto. The attached site plan may, at the request of the Department of Planning, be required to be revised during the site plan approval process so as to comply with applicable regulations.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of

Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;

- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- Violation of any provision or condition of this ordinance shall be punishable in accordance with the enforcement procedures set forth in Chapter 23 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) and shall constitute grounds for revocation of this Special Exception.

Section 5:- That this ordinance shall be in effect from the date of its adoption.

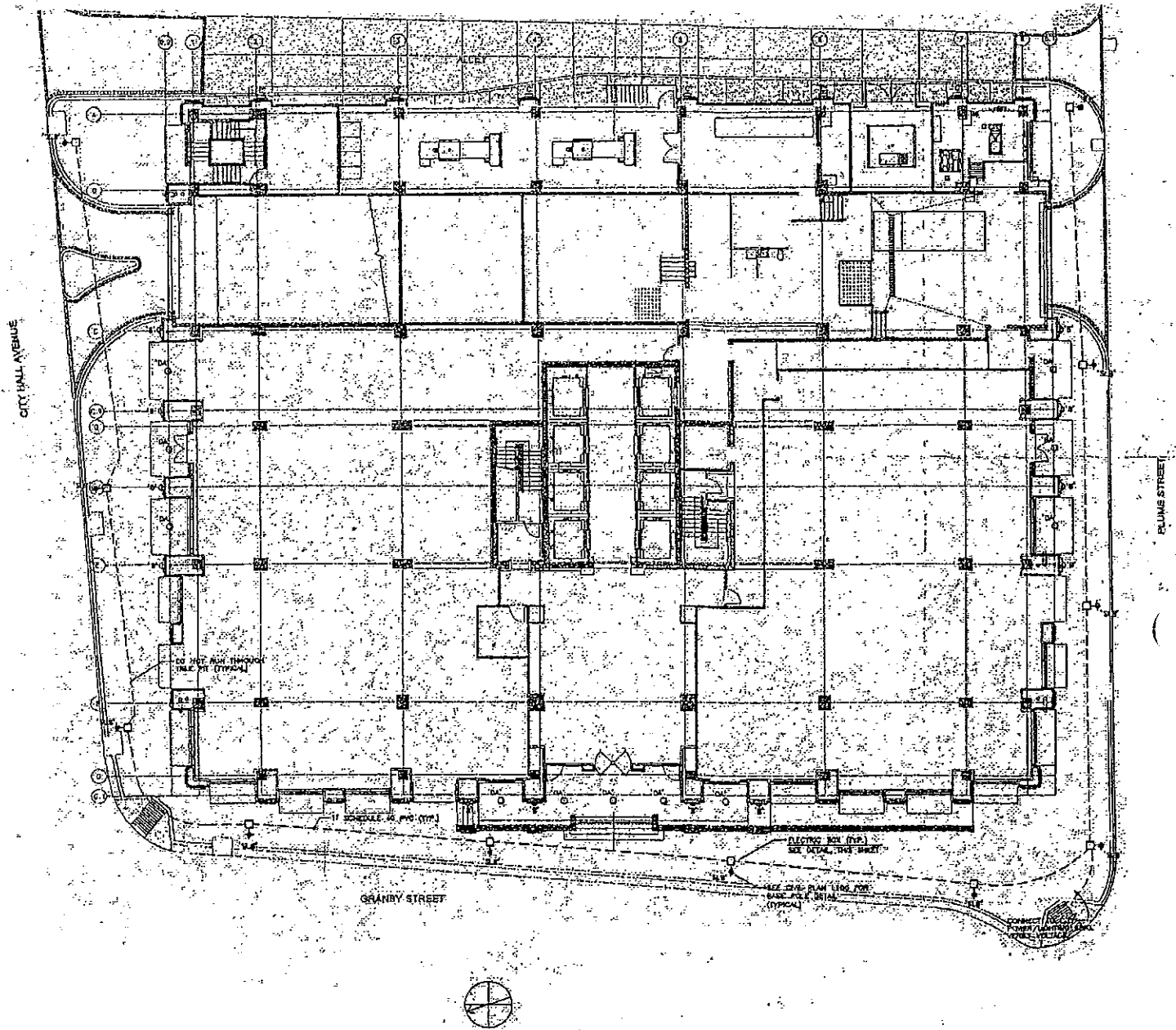
ATTACHMENT

Exhibit A (1 page)

### 3. SITE PLAN

#### PROPOSED SPECIAL EXCEPTION

#### HERITAGE BANK & TRUST 150 Granby Street



Planning Commission Public Hearing

May 25, 2006

Application 6

**EXHIBIT "A"**



## Inter Department Correspondence Sheet

TO: ..... City Manager  
FROM: ..... City Planning Commission  
COPIES TO: .....  
SUBJECT: ..... Application for Special Exception (6 P.H. 25 May 2006)

### PART 1: APPLICATION DESCRIPTION:

Nature of Application:

**Special Exception:** To operate a commercial drive-through

Location: 150 Granby Street (Maps 1 and 2).

Applicant: Heritage Bank and Trust

Property Owner: Trader Publishing Company

Description of proposed use:

The site is currently being developed with a 20 story retail and office building incorporating first floor lobby area and retail, seven floors of parking, and 12 floors of office space. The office component of the building will house the headquarters of Trader Publishing Company. The total building area is approximately 500,000 square feet.

A financial institution will also be located on the first floor adjacent to the alley extending from Plume Street north to City Hall Avenue. The applicant is proposing to utilize the alley for a commercial drive-through for the financial institution. Patrons would enter the drive-through from Plume Street and exit onto City Hall Avenue and make a right turn only. The drive-through will contain 1 window and the proposed hours of operation for the drive-through are from 8:00 a.m. to 6:00 p.m., seven days a week. The bank will be closed on Saturday and Sunday.

The site is located in the D-2 (Downtown Regional Center) District and Drive-throughs are permitted by special exception.



Description of existing land use pattern:

Generally, the D-2 (Downtown Regional Center District) accommodates Downtown Norfolk's role as the regional business, economic and cultural center. The area is developed with a range of commercial, retail, and office uses. Residential and other downtown uses are also permitted in the district.

## **PART 2: ANALYSIS/EVALUATION:**

Prior Zoning History:

The site was previously used as a public parking lot and is located in both the Downtown Historic Overlay District and in the D-2, Downtown Regional Center District. The design of the building has been reviewed and approved by the City's Design Review Committee and City Planning Commission in pursuance of a Certificate of Appropriateness under the Downtown Historic Overlay District designation. The D-2 District designation governs the zoning for the site and requires the issuance of a Downtown Development Certificate prior to construction. The Development Certificate has been approved by Council.

Neighborhood Impact:

The site is located within the Downtown area which contains a mix of residential, retail and commercial uses. Prior to construction of the existing building, a financial institution utilized this same alley for their commercial drive-through. A financial institution with a commercial drive-through would not have a negative impact on the neighborhood.

General Plan Impact:

The General Plan designates the area as commercial/office. This proposal would be considered to be in conformance with the General Plan.

Zoning Impact:

This application is for a special exception, which acknowledges that while the use is generally permitted in the district, it is of such a character that careful scrutiny is needed to determine if it is appropriate in this specific location and, if so, under what conditions.

As shown on Map 1, the site is located in a D-2(Downtown Regional Center District) district which is developed with a mix of conforming uses. This use will have to observe the general conditions for special exceptions contained in Section 25-9 of the Zoning Ordinance.

### **PART 3: RECOMMENDATION:**

The City Planning Commission unanimously recommends (by a vote of 7 to 0) that the special exception be approved subject to the following conditions:

- 1) There shall be no more than one (1) drive-through lane permitted on the property.
- 2) The hours of operation for the drive-through shall be from 8:00 a.m. until 6:00 p.m. Monday through Saturday and closed on Sunday.
- 3) The site shall be developed in conformity with the site plan set forth in "Exhibit A," attached hereto. The attached site plan may, at the request of the Department of Planning, be required to be revised during the site plan approval process so as to comply with applicable regulations.
- 4) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- 5) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- 6) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- 7) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- 8) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities,

drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;

- 9) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- 10) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- 11) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- 12) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- 13) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- 14) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.
- 15) Violation of any provision or condition of this ordinance shall be punishable in accordance with the enforcement procedures set forth in Chapter 23 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) and shall constitute grounds for revocation of this Special Exception.

**MAPS:**

1. Location and Zoning
2. Site
3. Site Plan
4. Front Elevations

**Description of Property:**

Property fronts 110 feet, more or less, along the southern line of City Hall Avenue and 111 feet, more or less, along the eastern line of Granby Street; property also fronts 113 feet, more or less, along the northern line of Plume Street; premises numbered 150 Granby Street.

**Proponents:**

Warren Tisdale  
1800 Bank of America Center  
Norfolk, VA 23510

**Opponents:**

None

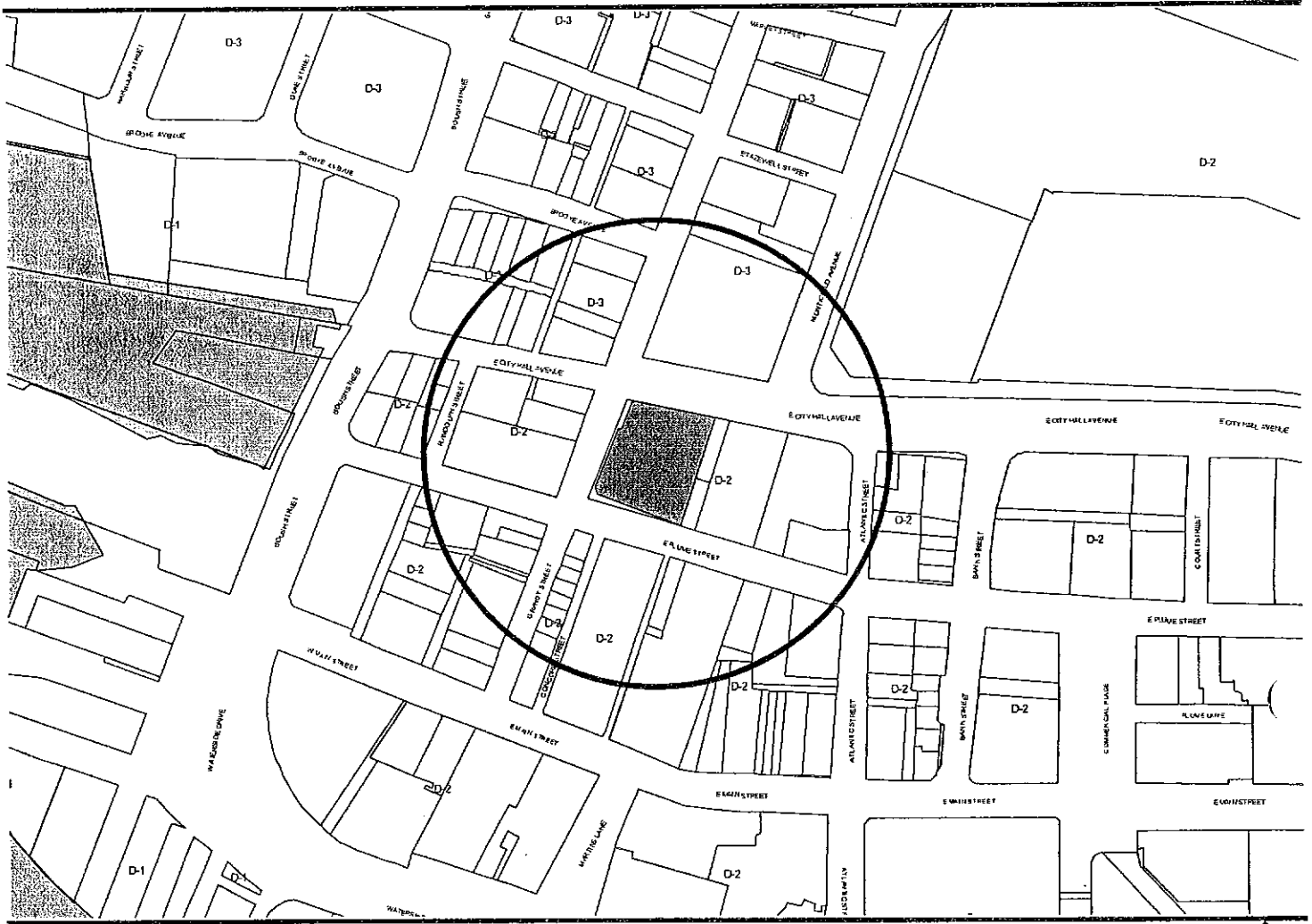


Stanley Stein  
Acting Executive Secretary

Attachments

1. LOCATION AND ZONING  
PROPOSED SPECIAL EXCEPTION

HERITAGE BANK & TRUST  
150 Granby Street



Planning Commission Public Hearing

May 25, 2006

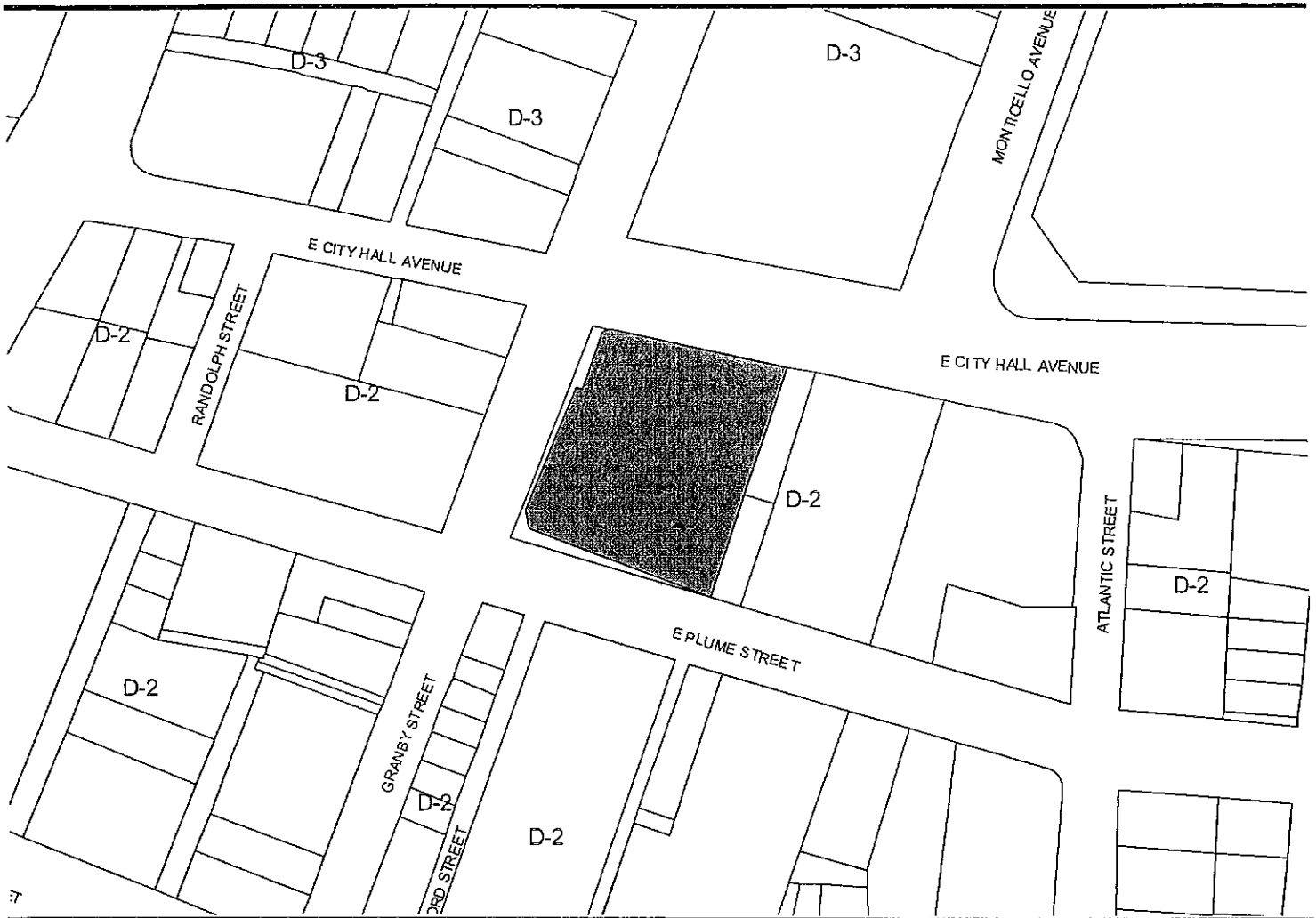
Application 6

 Location

2. SITE

PROPOSED SPECIAL EXCEPTION


HERITAGE BANK & TRUST  
150 Granby Street



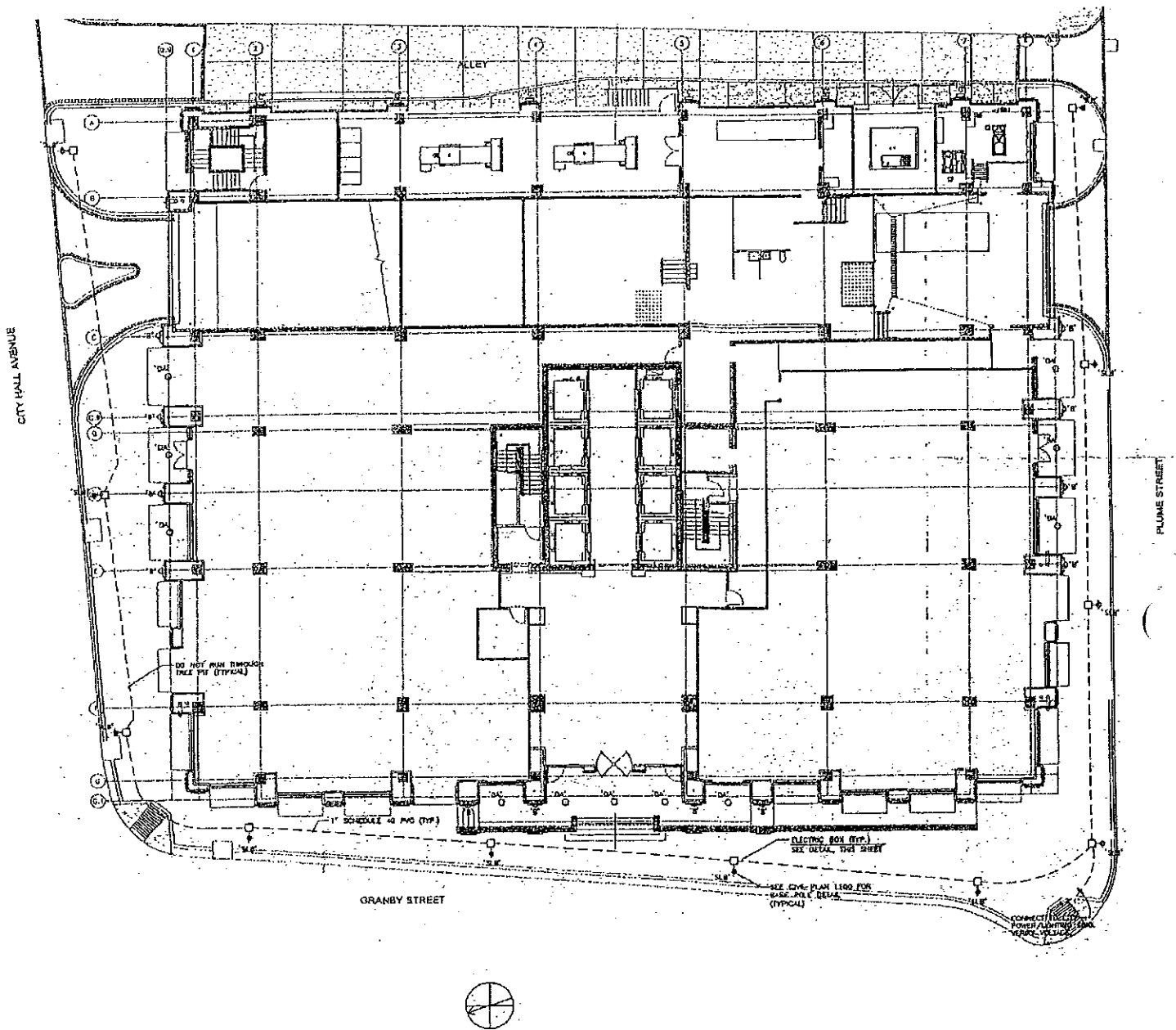
Planning Commission Public Hearing

May 25, 2006

Application 6

 Location

3. SITE PLAN  
PROPOSED SPECIAL EXCEPTION  
HERITAGE BANK & TRUST  
150 Granby Street



Planning Commission Public Hearing

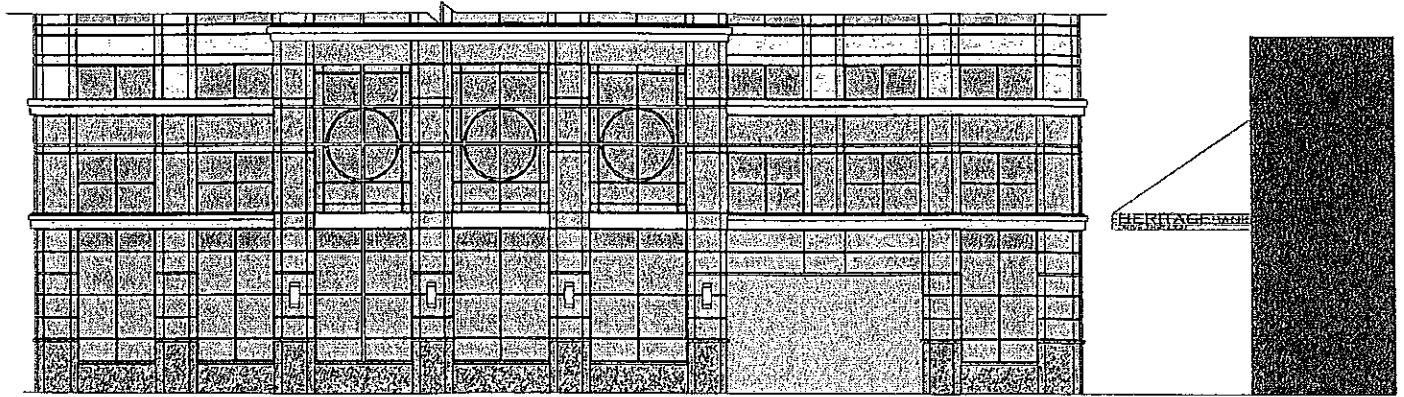
May 25, 2006

Application 6

4. FRONT ELEVATION

PROPOSED SPECIAL EXCEPTION

HERITAGE BANK & TRUST  
150 Granby Street



Planning Commission Public Hearing

May 25, 2006

Application 6